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Serial Number: 10/065,730

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Christine McKENNA et al.

Serial Number: 10/065,730

Filed: November 13, 2002

For: INTERACTIVE METHOD AND  
SYSTEM FOR FACILITATING  
THE DEVELOPMENT OF  
COMPUTER SOFTWARE  
APPLICATIONS

Examiner: Not yet assigned

Group Art Unit: unknown

PETITION UNDER 37 C.F.R. § 1.47

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JUN 25 2003

Mail Stop Petitions  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

OFFICE OF PETITIONS

Sir:

In accordance with 37 C.F.R. § 1.47, Applicants respectfully submit that one of the named inventors in the above-identified application cannot be found or reached after diligent effort on the part of the remaining inventors.

**STATEMENT OF FACTS IN SUPPORT OF FILING ON BEHALF OF  
NONSIGNING INVENTORS**

This statement is made as to the exact facts that are relied upon to establish the diligent effort made to secure the execution of the declaration by the nonsigning inventor, Ms. Ingrid Russell, for the above-identified patent application. The following detailed description of the attempts to obtain such signature makes reference to various individuals associated with the Ms. Russell. The relationship of these individuals to Ms. Russell is set forth as follows: 1) Mr. Robin Clark is a patent attorney with Hunton &

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Williams LLP who prepared the present application and associated Declaration. Mr. Clark transmitted copies of the application and related papers to Ms. Russell on several occasions; 2.) Joan Moreno is Mr. Clark's professional assistant and also attempted to obtain executed documents from Ms. Russell on several occasions documented below; 3.) Sara Coulombe is a administrator for Ms. Russell's former employer and the assignee of the present application. Ms. Coulombe made significant efforts to locate Ms. Russell for participation in the present application; 4.) Christopher Russell is Ms. Russell's husband and is also a former employee of the present assignee. Several attempts to contact Ms. Russell were made through Mr. Russell.; and 5.) Mike Signor and Jackie Kingsley nee Holohan are co-inventors of the present application believed to have information regarding Ms. Russell's whereabouts.

**A. DETAILS OF EFFORTS TO REACH NONSIGNING INVENTOR  
INGRID RUSSELL**

1. On November 27, 2001 an email was sent from Mr. Clark to Ms. Russell requesting future contact information for Ms. Russell, in advance of her departure from employment by the present assignee (Exhibit A).
2. On November 29, 2002 an email was received from Ms. Russell indicating her contact information, her willingness to be included in the present application, and a means of contact through her husband, Christopher Russell (Exhibit A).
3. On November 12, 2002, an electronic copy of the present application was forwarded from Mr. Clark to all inventors including Ms. Russell for review prior to filing (Exhibit B).
4. On March 7, 2003 a letter was sent via Federal Express from Mr. Clark forwarding a copy of the application papers to Ms. Russell for execution (Exhibits C).
5. On March 10, 2003, an electronic mail message was received from Federal Express indicating that the letter of item 4 was received (Exhibit D).
6. On March 21, 2003 another letter was sent via Federal Express from Mr. Clark to Ms. Russell forwarding a second copy of the application papers for execution (Exhibits E).

7. On March 21, 2003, an electronic mail message was sent from Ms. Moreno to Ms. Russell at her requested email address (christopher.russell@gecapital.com) forwarding a copy of the present application and associated papers for execution (Exhibit F).
8. On March 21, 2003, an electronic mail message was received from the GE Capital system administrator indicating that the recipient for the email of item 4 was not recognized (Exhibit G).
9. On March 21, 2003 a third letter was sent via Federal Express from Mr. Clark forwarding a copy of the application papers to Ms. Russell for execution (Exhibits H).
10. On March 26, 2003, electronic shipment tracking was received from Federal Express indicating that the letter of item 9 was returned to the shipper as non-deliverable (Exhibit I).
11. On March 26, 2003, fourth letter was sent via Federal Express from Mr. Clark forwarding a copy of the application papers to Ms. Russell for execution (Exhibit J).
12. On April 1, 2003, electronic shipment tracking was received from Federal Express indicating that the letter of item 11 was left without signature (Exhibit K).
13. On April 11, 2003, an electronic mail message was sent from Joan Moreno to Sara Coulombe indicating the repeated failures to contact Ms. Russell and requesting assistance (Exhibit L).
14. On April 14, 2003, an electronic mail message was received from Sara Coulombe indicating that contact information for MS. Russell was not available and requesting additional assistance from Mike Signor (Exhibit M).
15. On April 14, 2003, an electronic mail message was received from Sara Coulombe indicating that contact information for Ms. Russell was not available and requesting additional assistance from Mike Signor (Exhibit M).

16. On April 14, 2003, an electronic mail message was received from Mike Signor indicating that he knows an Ingrid Russell and providing a contact email of irussell@hartford.edu (Exhibit M).

17. On April 14, 2003, an electronic mail message was sent from Joan Moreno to Ingrid Russell of Hartford, CT, forwarding copies of the application papers for execution (Exhibit N).

18. On April 14, 2003 a telephone conference between Joan Moreno and Ms. Russell's assistant in Hartford, CT, reveals that this Ms. Russell is not the same Ingrid Russell named in the present application.

19. On April 14, 2003 an electronic mail message was sent from Sara Coulombe to Jackie Kingsley (nee Holohan) a co-inventor in the present application requesting any information on the whereabouts of Ms. Russell. A return email indicates that Ms. Kingsley does not know Ms. Russell or her whereabouts (Exhibit O).

20. On April 28, 2003 an electronic mail message was sent from Joan Moreno to Sara Coulombe requesting information on whether Ms. Russell had been located (Exhibit P).

13. As of June 23, 2003 executed application papers for the above-identified application have not been received from Ms. Russell.

## **II. IDENTIFICATION OF PERSON MAKING THIS STATEMENT OF FACTS**

The above statement of facts is made by Mr. Robin C. Clark, attorney for Applicants, having an address of 1751 Pinnacle Drive, Suite 1700, McLean, Virginia 22102. Mr. Clark and/or his assistant, Joan Moreno, have collected information relating to all of the above-described attempts to join Ms. Russell in the present application.

## **III. LAST KNOWN ADDRESSES OF THE NONSIGNING INVENTOR**

Ingrid Russell  
21 Pond Crest Rd  
Danbury, CT 0681  
203-312-0819

#### IV. CONCLUSION

Based upon the facts set forth above, Applicants hereby submit that a diligent effort has been made to obtain a signature from Ms. Russell. Accordingly, the remaining inventors in the present application hereby make this application on behalf of the above-named nonsigning inventor upon submission of this Petition and payment of the fee set forth in 37 C.F.R. §1.17(i).

Respectfully submitted,

HUNTON & WILLIAMS LLP

Date: June 23, 2003

By 

Robin C. Clark  
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